

PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT ON LIABILITY

Alek Schott v. Bexar County, Texas
Case No. 5:23-cv-00706-OLG-RBF

EXHIBIT 42



Alek Schott [REDACTED]

Re: dash cam req

1 message

Alek Schott [REDACTED]

To: "Rodriguez, Marta" <Marta.Rodriguez@bexar.org>

Wed, Jun 29, 2022 at 9:03 PM

Hi Marta

Following up to see if you were able to obtain the patrol car video from the officer showing any probable cause to pull me over. You mentioned having not viewed this at the time we spoke. I also provided the open records request information that you requested since they had not yet responded after months. The Texas Attorney General has also filed a request against your open records department for failure to provide the information requested within the required 10 days.



June 3, 2022

*Ms. Monica Ramos
Public Information Officer
Bexar County Sheriff's Office
101 West Nueva Street, 10th Floor
San Antonio, Texas 78205*

Dear Ms. Ramos:

The Office of the Attorney General (the “OAG”) has received a complaint from Alek Schott alleging the Bexar County Sheriff’s Office (the “sheriff’s office”) has failed to respond appropriately to a request for information. The complaint was assigned ID# 961895.

The Public Information Act (the “Act”), chapter 552 of the Texas Government Code, generally requires a governmental body to release requested public information that it collects, assembles, maintains, or has right of access to, or to request a ruling from the OAG as to the applicability of exceptions to the Act. Our records do not indicate a request for an OAG ruling has been made in accordance with section 552.301 of the Act.

Although the OAG has civil enforcement authority under the Act, our office prefers to work with governmental bodies and requestors to resolve complaints informally. The easiest way to resolve this open records complaint is to release the requested information, provided the information is not confidential by law.

Please provide a written response to this letter within 10 business days. See 1 T.A.C. § 70.11(d)(3) (governmental body has a responsibility under the Act to promptly respond). A certification form is enclosed with this letter in order to expedite your response. You may use the form to certify: (i) the requested information has been or will be released to the requestor; (ii) the sheriff’s office has no information responsive to the request; or (iii) the sheriff’s office has requested or will request an attorney general’s provide a written response to this notification letter explaining how the sheriff’s office has complied with the Act. The written response may be sent to the address below or faxed to the Education and Enforcement Section at (512) 481-1992.

Post Office Box 12548, Austin, Texas 78711-2548

Alek Schott
[REDACTED] 5061

On Thu, Jun 2, 2022 at 10:29 AM Alek Schott [REDACTED] wrote:
Marta

Thanks for talking on the phone. To reiterate what we discussed, I did not veer out of my lane which can be seen from the patrol car camera. No probable cause to pull me over. No probable cause to suspect drugs. No probable cause to detain me in his car. I told the officer he could not search

P000003

my car and he told me he would call a search dog and that he was allowed to do so. He withheld my license keeping me detained in the front of his patrol car. The damages to my truck were excessive and over \$7,268.46 which were paid out by the county on April 14th when they reviewed the footage and found no probable cause to pull me over and that the stop was harassment. Property damage claim 22G62K215086.

Open records request below.

S004068-040622

Sheriff Records Request

Alek Schott

[REDACTED] 5061

On Thu, Jun 2, 2022 at 10:09 AM Alek Schott [REDACTED] wrote:

Thanks Marta

The primary issue is that there was no probable cause to pull me over. I did not cross the fog line and this was an excuse for harassment. His reasoning was false. I believe this footage was reviewed by your chief when they paid my damage claim of \$7,000. Your open records group has failed to provide the requested information after several months or offer any replies in violation with state requirements.

Alek Schott

[REDACTED] 5061

On Thu, Jun 2, 2022 at 9:43 AM Rodriguez, Marta <Marta.Rodriguez@bexar.org> wrote:

Alek,

I reviewed your dash cam that you provided and I did not see any damage to your vehicle. When I reviewed Deputy Babb's body worn camera (BWC) I did not see any policy violations. He told you why he stopped you immediately when he walked up to your vehicle. When K9 Deputy Molina arrived he even asked you for consent to run his K9 and you agreed. No policy violations were viewed through BWC. If you would like to see the BWC feel free to request it through our open records email:

OpenRecords@bexar.org

From: Alek Schott [REDACTED]
Sent: Wednesday, May 11, 2022 3:15 PM
To: Rodriguez, Marta <Marta.Rodriguez@bexar.org>
Subject: Re: dash cam req

NOTICE:

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If you feel it is suspicious, please send this email as an attachment to BCERT@bexar.org

Marta

Were you able to identify probable cause for the officer to pull me over, remove me from my vehicle and detain me while searching my vehicle?

Alek Schott

[REDACTED] 5061

On Fri, Apr 22, 2022 at 4:24 PM Alek Schott [REDACTED] wrote:

Footage during the stop attached in the link below.

<https://photos.app.goo.gl/PU7tR6pfDr8dWnhH8>

Alek Schott

[REDACTED] 5061

On Fri, Apr 22, 2022, 4:21 PM Rodriguez, Marta <Marta.Rodriguez@bexar.org> wrote:

Can you send me the dash video you have

Sent from my iPhone

On Apr 22, 2022, at 2:20 PM, Alek Schott [REDACTED] wrote:

NOTICE:

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Hi Marta

Can you confirm the disposition or status of my formal complaint?

Alek Schott

[REDACTED] 5061

On Tue, Apr 12, 2022 at 6:04 PM Alek Schott [REDACTED] wrote:

Marta

A sergeant just called me after being notified today from IA. I asked if removing someone from their vehicle is standard practice and he said "not for me". I asked if placing people in the front of their police vehicles while running their ID is standard practice and she said "not for me". He claimed I wasn't being detained even though the officer was withholding my drivers license and warning paperwork while forcing me to wait for a drug dog without probable cause. He said I should have "just left without my license if I wanted to go and not wait for the dog".

He kept talking in circles saying he could see the violation from the body cam (even though it was inside his patrol car facing him).

Told me to file a lawsuit if I have any additional concerns with how they conduct business.

Sergeant then laughed at me and put me on hold for an extended amount of time just to pick up and say "are you still there?" then put me back on hold in hopes that I would hang up. He later joined after leaving me on hold and had no sufficient evidence for a stop, no sufficient reason to detain me to wait for a drug dog, and told me to challenge your department in court.

Alek Schott

[REDACTED] 5061

On Tue, Apr 12, 2022 at 11:49 AM Rodriguez, Marta <Marta.Rodriguez@bexar.org> wrote:

Sgt. Marta Rodriguez #4275
Bexar County Sheriff's Office
Internal Affairs
126 E. Nueva Street, B1
San Antonio, Tx 78204
210-335-6726 desk
[REDACTED] 5058 cell

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Thanks!

Alek Schott

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Thanks!

Alek Schott

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Thanks!

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Alek Schott

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Thanks!

Alek Schott